

BEFORE THE ARIZONA BOARD OF

OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

IN THE MATTER OF:

CRAIG HILLER, D.O.

Holder of License No. 3127 for the
practice of osteopathic medicine in the
State of Arizona.

Case No. 2545

**DENIAL OF MOTION FOR
REHEARING**

The above-captioned matter came before the Arizona Board of Examiners in Medicine and Surgery (hereafter "Board") for consideration of Craig Hiller, D.O. (hereinafter Respondent) Motion for Rehearing on April 28, 1999 via telephone conference call. Said proceedings were a result of an Order of Revocation of License issued March 4, 1999. Respondent did not appear before the Board on March 4, 1999 but was represented by legal counsel, Thomas Baker.

Following presentation of evidence and information to the Board, and the Board having considered all the evidence and information in the matter thus presented, and being fully advised, enters the following Order.

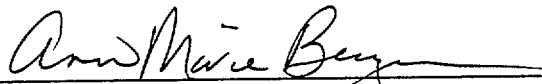
ORDER

Pursuant to the authority vested in the Board by A.R.S. § 32-1855(J), **IT IS ORDERED THAT** Respondent's Motion for Rehearing is **DENIED**.

ISSUED this 15th day of June, 1999.

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

By:



Ann Marie Berger, Executive Director
9535 E. Doubletree Ranch Road
Scottsdale AZ 85258
(602) 657-7703

Served by personal service or
Certified Mail this 15th day of
June ~~March~~, 1999 to:

Craig Hiller, D.O.
12425 N. 84th St.
Scottsdale AZ 85260

Craig Hiller, D.O.
P.O. Box 1998
El Dorado AK 71730

Thomas Baker, Esq.
5050 N. 8th Place #10
Phoenix AZ 85014
Attorney for Respondent

Served by interagency mail this
15th day of June, 1999 to:

Blair Driggs
Assistant Attorney General
Office of the Attorney General
1275 W. Washington
Phoenix AZ 85007

Tom Dennis
Assistant Attorney General
Solicitor General's Office
1275 W. Washington
Phoenix AZ 85007

Amita Boyd

**BEFORE THE ARIZONA BOARD OF
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY**

IN THE MATTER OF:)	
)	Case No. 2545
CRAIG HILLER, D.O.)	<u>AMENDED ORDER</u>
Holder of License No. 3127 for the)	DENIAL OF MOTION FOR
practice of osteopathic medicine in the)	REHEARING
State of Arizona.)	
_____)	

The above-captioned matter came before the Arizona Board of Examiners in Medicine and Surgery (hereafter "Board") for consideration of Craig Hiller, D.O. (hereinafter Respondent) Motion for Rehearing on April 28, 1999 via telephone conference call. Said proceedings were a result of an Order of Revocation of License issued March 3, 1999. Respondent did not appear for oral arguments on Respondent's Motion for Reconsideration held on April 28, 1999 but was represented by legal counsel, Thomas Baker.

Following presentation of evidence and information to the Board, and the Board having considered all the evidence and information in the matter thus presented, and being fully advised, enters the following Order.

ORDER

Pursuant to the authority vested in the Board by A.R.S. § 32-1855(J), **IT IS ORDERED THAT** Respondent's Motion for Rehearing is **DENIED**.

ISSUED this 6th day of July, 1999.

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

By: Ann Marie Berger
Ann Marie Berger, Executive Director

Served by personal service or
Certified Mail this 7 day of
July, 1999 to:

Craig Hiller, D.O.
12425 N. 84th St.
Scottsdale AZ 85260

Craig Hiller, D.O.
P.O. Box 1998
El Dorado AK 71730

Thomas Baker, Esq.
5050 N. 8th Place #10
Phoenix AZ 85014
Attorney for Respondent

Served by interagency mail this
7 day of July, 1999 to:

Blair Driggs
Assistant Attorney General
Office of the Attorney General
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Phoenix AZ 85007

Tom Dennis
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Solicitor General's Office
1275 W. Washington
Phoenix AZ 85007

Amita Boyd

**BEFORE THE ARIZONA BOARD OF
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY**

IN THE MATTER OF:)	Case No. 2545
)	
CRAIG HILLER, D.O.)	FINDINGS OF FACT, CONCLUSIONS
Holder of License No. 3127 for the)	OF LAW AND ORDER OF REVOCATION
practice of osteopathic medicine in the)	OF LICENSE
State of Arizona.)	
_____)	

The above-captioned matter came on for formal evidentiary hearing before the Arizona Board of Osteopathic Examiners in Medicine and Surgery (hereafter "Board") on January 22, 1999 and March 3, 1999. Blair Driggs, Assistant Attorney General, represented the State of Arizona. The Respondent, licensee, CRAIG HILLER, D.O. (hereinafter "Respondent") was present and represented by legal counsel, Thomas Baker. The Board, through Stanley J. Brysacz, Jr., D.O., President of the Board, Murray Cohen, D.O., Vice-President of the Board, D. Jayne McElfresh, Dewey Schade, Richard Whitaker, D.O. and Martin Reiss, D.O., members of the Board, having considered all the material evidence presented and being fully advised, makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

I.

Respondent is licensed by the board as an osteopathic physician; and, pursuant to A.R.S. § 32-1803, et seq. (as amended), the Board has the statutory authority to conduct an administrative hearing to determine whether the Respondent is unable to safely engage in practice of medicine and whether action should be taken due to the unprofessional conduct by Respondent. During the Board's public meeting telephone conference call on November 13, 1998 following the

Board's review of information and evidence, obtained pursuant to A.R.S. § 32-1855 and § 32-1855.01, regarding Respondent's conduct and having considered the evidence and information in the matter, the Board voted to hold a Formal Administrative Complaint Hearing in this matter. Respondent did not appear at the public meeting held on November 13, 1998.

II.

Respondent is a licensee of the Board and the holder of License No. 3127 for the practice of osteopathic medicine in the State of Arizona.

III.

The following information was brought to the attention of the Board that Respondent violated the terms and conditions of his Findings of Fact, Conclusions of Law and Board Order dated March 28, 1998.

- a. On September 21, 1998 Respondent provided written and verbal notice to the Executive Director that he was relocating to the state of Arkansas. The Executive Director was informed that the move was imminent and would occur within five days of September 21, 1998.
- b. On October 15, 1998 the Executive Director received a telephone call from Detective Stern of the Scottsdale Police Department informing her that Respondent was still located in Scottsdale and had not relocated to the state of Arkansas.
- c. On October 15, 1998 the Executive Director spoke with Respondent who informed her that he had not moved to Arkansas but was not practicing medicine. The Executive Director requested that Respondent provide a urine drug screen and informed the Respondent that he may be in violation of the terms of his Board Order by falsely providing information that he

no longer resided in the State of Arizona and therefore was not being monitored as to the terms and conditions of his probation. Respondent informed the Executive Director that he was no longer having his required therapy. The Executive Director informed Respondent that he was still bound by the terms and conditions of his Board Order.

- d. On November 13, 1998 the Board held a telephone conference call public meeting to consider Respondent's noncompliance with the terms and conditions of his Board Order. Respondent was notified and required, pursuant to his Board Order, to attend the public meeting. Respondent did not appear at the Board's office on November 13, 1998 as required.
- e. On November 20, 1998 Respondent mailed the Executive Director his wallet license card and stated that he was no longer practicing medicine. The Executive Director sent Respondent a proposed Stipulated Consent Order for Surrender of license, which Respondent did not sign or return to the Board's office. The Executive Director also informed Respondent that he was still bound by the terms and conditions of his Board Order pending the outcome of the formal administrative hearing.
- f. On November 25, 1998 the Board's office received a phone call from Rose Richards, M.D. who was providing treatment to one of Respondent's patients (S.K.). Dr. Richards saw patient SK who requested a prescription for percodan. S.K. stated that Respondent had always provided a prescription for percodan for a cash payment "on the side". S.K. seemed confused when Dr. Richards would not provide a prescription for percodan and stated that Respondent had informed her that he would locate a physician who would continue to supply S.K. percodan for cash. Dr. Richards inquired as to whether S.K. needed the prescription for

pain and what type of pain. S.K. responded that she was not in pain and that she just took it because she needed it but was not addicted. Dr. Richards stated that based on her conversation with S.K. it appears that Respondent had been supplying S.K. with a prescription for percodan for many months. SK also stated that Respondent had used a diagnosis to justify the prescription of percodan. S.K. also stated that Respondent made sexual advances toward her.

- g. On December 9, 1998 Board Staff attempted to contact Dr. Hiller to provide a urine drug screen. Respondent's wife informed Board Staff that Dr. Hiller no longer lived in Arizona and was practicing medicine and residing in Arkansas.

CONCLUSIONS OF LAW

The aforementioned conduct alleged against Respondent constitutes unprofessional conduct as defined at A.R.S. § 32-1854:

- (5) Prescribing, dispensing or administering controlled substances or prescription only drugs for other than accepted therapeutic purposes; to wit, selling prescriptions for cash.
- (6) Engaging in the practice of medicine in a manner that harms or may harm a patient a patient or that the board determines falls below the community standard.
- (19) Any conduct or practice contrary to recognized standards of ethics of the osteopathic medical professional.
- (20) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate any of the provisions of this

chapter.

- (26) Violating a formal order, probation or a stipulation issued by the board under this chapter.
- (37) Violating a federal law, a state law or a rule applicable to the practice of medicine.
- (40) Any conduct or practice that endangers a patient's health or may reasonably be expected to do so.
- (47) Conduct in the practice of medicine, which evidence moral unfitness to practice medicine.

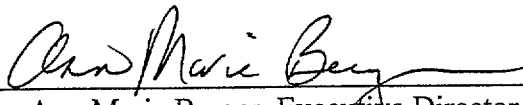
ORDER

IT IS THEREFORE ORDERED that License No. 3127 for the practice of osteopathic medicine in the State of Arizona, held by CRAIG HILLER, D.O. be and the same is hereby **REVOKED.**

All parties are advised that they may file a Motion for Rehearing pursuant to A.R.S. § 41-1092.09 and A.A.C. R4-220-106. The filing of a Motion for Rehearing is a prerequisite of judicial review.

ISSUED this 4th day of March, 1999.

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

By: 
Ann Marie Berger, Executive Director

Served by personal service or
sending U.S. certified mail
this 4th day of March, 1999 to:

Craig Hiller, D.O.
12425 N. 84th St.
Scottsdale AZ 85260

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Phoenix AZ 85014
Attorney for Respondent

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Anita Boyd